

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 1, 2013

**Elisabeth A. Shumaker
Clerk of Court**

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff - Appellee,

v.

ABERCROMBIE & FITCH STORES,
INC., an Ohio corporation, d/b/a
Abercrombie Kids,

Defendant - Appellant.

No. 11-5110
(D.C. No. 4:09-CV-00602-GKF-FHM)

JUDGMENT

Before **KELLY, EBEL**, and **HOLMES**, Circuit Judges.

This case originated in the Northern District of Oklahoma and was argued by counsel.

The judgment of that court is reversed. The case is remanded to the United States District Court for the Northern District of Oklahoma for further proceedings in accordance with the opinion of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk